

## CHAPTER 12.1-25 RIOT

### **12.1-25-01. Inciting riot.**

1. A person is guilty of an offense if he:
  - a. Incites or urges five or more persons to create or engage in a riot; or
  - b. Gives commands, instructions, or directions to five or more persons in furtherance of a riot.
2. "Riot" means a public disturbance involving an assemblage of five or more persons which by tumultuous and violent conduct creates grave danger of damage or injury to property or persons or substantially obstructs law enforcement or other government function.
3. A person shall be convicted under section 12.1-06-01, 12.1-06-03, or 12.1-06-04 of attempt, solicitation, or conspiracy to commit an offense under this section only if he engages in the prohibited conduct under circumstances in which there is a substantial likelihood that his conduct will imminently produce a violation of this section.
4. The offense is a class C felony if it is under subdivision b of subsection 1 and the riot involves one hundred or more persons. Otherwise it is a class A misdemeanor.

### **12.1-25-02. Arming rioters.**

1. A person is guilty of a class C felony if he:
  - a. Knowingly supplies a firearm, dangerous weapon, or destructive device for use in a riot;
  - b. Teaches another to prepare or use a firearm, dangerous weapon, or destructive device with intent that any such thing be used in a riot; or
  - c. While engaging in a riot, is knowingly armed with a firearm, dangerous weapon, or destructive device.
2. "Riot" has the meaning prescribed in section 12.1-25-01.

### **12.1-25-03. Engaging in a riot.**

1. A person is guilty of a class B misdemeanor if he engages in a riot, as defined in section 12.1-25-01.
2. The provisions of subsection 3 of section 12.1-25-01 are applicable to attempt, solicitation, and conspiracy to commit an offense under this section. Mere presence at a riot is not an offense under this section.

### **12.1-25-04. Disobedience of public safety orders under riot conditions.**

A person is guilty of a class B misdemeanor if, during a riot as defined in section 12.1-25-01, or when one is immediately impending, he disobeys a reasonable public safety order to move, disperse, or refrain from specified activities in the immediate vicinity of the riot. A public safety order is an order designed to prevent or control disorder, or promote the safety of persons or property, issued by the senior law enforcement official on the scene.